Alternative #2
TRP CASE: #11-B

RESOLUTION NO. 12-01

RESOLUTION OF THE TOWN OF ST. LEO TOWN COMMISSION APPROVING THE SAINT LEO UNIVERSITY INC. TREE REMOVAL REQUEST (TRP #11-B) WITH CONDITIONS.

WHEREAS, a Tree Removal Permit application has been submitted by Saint Leo University, Inc. for construction of soccer/lacrosse fields and parking garage pursuant to Article XII: Landscape Buffering and Tree Protection, Sec. 12.6 Tree Protection and Restoration.

WHEREAS, the tree removal request for six (6) Grand Trees requires approval by the Town Commission. In addition, twenty-three (23) protected trees are also being removed.

WHEREAS, a public hearing was held on October 10, 2011, before the Town of St. Leo Town Commission, which gave full and complete consideration to the recommendations of the staff and evidence presented at the meeting.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF ST. LEO TOWN COMMISSION:

SECTION A. REQUEST

The project is located in the south central portion of the East Campus within an existing soccer field. The project entails development of new soccer/lacrosse fields on top of a two-level parking garage (553 parking spaces) and two stormwater ponds. This project was identified on the PUD #10-A, Minor Modification #1 approved conceptual site plan. In addition to the new soccer/lacrosse fields, on the west side of the site, will be a stadium building with press box and concessions. The stadium and fields will be located on top of the parking garage, and therefore, will be elevated above the existing grade adjacent to Lions Street to the west and the wetland/forested area to the east. Because of the sloping terrain of the site, the parking garage will be partially set into the slope. The project will entail fill for the new garage and leveling of the grade to reduce the large existing change in grade to the wetland and provide for a stormwater pond. Therefore, tree removal is required.

The Applicant is requesting removal of six (6) Grand Trees and twenty-three (23) protected trees.

SECTION B. FINDINGS AND CONCLUSIONS

Based on the facts and analysis presented in the staff report (Exhibit A), and the Applicant's application, justification and submittal documents (Exhibit B), and approval of the removal of six (6) Grand Trees and twenty-three (23) protected trees are warranted.

The LDC requires a canopy tree replacement ratio of two (2) to one for any tree between 5-inch DBH and less than 10-inch DBH, a ratio of three (3) to one (1) for any tree 10-inch DBH to less than 20-inch DBH, and a ratio of four (4) replacement trees for each Grand Tree removed.

Based on this approval, a total of 78 replacement trees are required as follows:

- 6 Grand Trees = 24 replacement trees
- 8 protected trees are ten (10) inch DBH to less than 20-inch DBH = 24 replacement trees.
- 15 protected trees are greater than five (5) inch DBH, but less than ten (10) inch DBH = 30 replacement trees.

The total number of required replacements trees is 78 or the equivalent of 234 inches DBH (78 x 3-inch DBH). Pursuant to Section 12.6.6 the Applicant can provide fewer, but larger than three (3)-inch DBH trees and/or pursuant to Section 12.6.9, pay into the Tree Mitigation Fund for the required replacement trees.

SECTION C. TOWN COMMISSION DECISION

Based on the Applicant's justification statement, site constraints and photographs and that the request is consistent with the Comprehensive Plan, that the removal of the six (6) Grand Trees and 23 protected trees is warranted, and therefore, the Tree Removal Permit is APPROVED with the following conditions:

1. The Applicant shall plant 78 replacement canopy trees (per LDC list or other Town approved tree), each a minimum of three (3)-inch DBH and ten (10) feet in height, Florida Quality Grade One. Alternatively, pursuant to Section 12.6.6 provide fewer, but larger than three (3)-inch DBH trees and/or pursuant to Section 12.6.9, pay the tree mitigation fee for the required replacement trees. However, given the number of trees removed, at least twenty-five (25) percent of the required replacement trees (20 trees) shall be planted around the project site. A majority of these replacement trees (11 trees) shall be planted along the east boundary adjacent to the wetland.

   Note that any required landscape buffer related to the project pursuant to Sec. 12.2 cannot count toward meeting the tree replacement requirement. Requirements related to landscape buffers are in addition to the required replacement trees.

2. The Applicant shall submit a tree replacement plan by November 30, 2011 for review/approval by the Town's Planning Consultant. The replacement trees shall be planted by the Applicant and inspected by the Town Planning Consultant prior to final inspection of the Soccer/Lacrosse Field and Parking Garage project by the Town's Building Official or Planning Consultant. Any payments to the Tree Mitigation Fund must be made prior to final site inspection approval.

3. This approval is subject to approval by SWFWMD and the Applicant shall submit to the Town Clerk a copy of the SWFWMD permit approval related to this project. No construction shall begin until the approved SWFMWD permit is received.

4. Prior to the start of regrading and/ or filling, silt fences or other appropriate fencing/barrier shall be installed around adjacent protected trees that are to remain, and shall remain in place during construction (site grading).

5. The portion of the jurisdictional wetland and required buffer not dedicated as permanent open space, shall be dedicated as permanent open space or preserved via a conservation easement. Such dedication or easement shall be approved by the Town Commission and recorded prior to final inspection approval. Pursuant to Comprehensive Plan CON Policy 1.1.4, the Town of St. Leo Town Commission, at some future date, shall initiate designation of the wetland and required buffer with the Conservation future land use category.

6. No final inspection approval will be issued by the Town until the above conditions are met.

7. Upon one (1) year after the completion of the project, the Town Commission or its designee shall inspect all planted replacement trees and the Applicant shall be required to replace any trees deemed to be in poor or dead condition within 45 days of the date a written notice of said inspection is mailed to the Applicant.

SECTION D. EXHIBITS

The following exhibit is attached to this resolution and incorporated by reference:

Exhibit A: Town Planner's Report with exhibits
Exhibit B: Applicant's application and supporting documents.

SECTION E. TOWN COMMISSION MOTION

The foregoing resolution was adopted by the St. Leo Town Commission vote as follows:

William E. Hamilton, Mayor
Donna DeWitt, OSB
Richard Christmas
Robert Courtney
Jack Gardner

DULY PASSED AND ADOPTED this 10th day of October, 2011. This approval is valid for one (1) year from the date of approval, unless a construction permit has been issued prior to the expiration date.

ATTEST:

Joan Miller, MMC, Town Clerk

William E. Hamilton, Mayor

Approved as to form by:

Patricia Petruff, Esquire, Town Attorney

EXHIBIT A
Town Planner's Report with Exhibits

Town of St. Leo

TREE REMOVAL PERMIT REVIEW (TRP) STAFF REPORT
TRP# 11-B: Saint Leo University Soccer/Lacrosse Field and Parking Garage
Town Commission Public Hearing Meeting October 10, 2011

Property Owner:	Saint Leo University Inc.
Applicant:	Same
Representative:	Frank Mezzanini
Request:	Remove six (6) Grand Trees, ten (10) trees between 10-inch and less than 20-inch DBH and sixteen (16) trees greater than 5-inch DBH, but less than 10-inch DBH.
Location/Legal Description:	South Central Quadrant of the Saint Leo University East Campus
Property Appraiser Folio:	01-25-21-0000-03000-0000
Land Use Designation:	Institutional
Zoning:	Institutional

Tree Removal Review Application Overview:

As shown on Exhibit A, the University campus is bisected by the Order of Saint Benedict property, which creates a west and east campus. The project is located in the south central portion of the East Campus within the area of an existing soccer field. The project entails development of new soccer/lacrosse fields on top of a two-level parking garage along with two stormwater ponds (Appendix A- Sheet TR-5). This project was identified on the PUD #10-A, Minor Modification #1 approved conceptual site plan. In addition to the new soccer/lacrosse field, on the west side of the site will be a stadium building with press box and concessions. The stadium and fields will be elevated above the existing grade adjacent to Lions Street; therefore, pedestrian access will require stairs. Two (2) stormwater ponds are proposed, one stormwater pond is located along a portion of the east project boundary adjacent to the parking garage and wetland, and the other pond is located to the southwest of the project site (south of Roderick Hall). A portion of an existing Roderick Hall parking lot will be utilized for this pond. This project requires SWFWMD approval.

The parking garage will accommodate 553 parking spaces to meet requirements for the two new student housing buildings as well as provide additional on-campus parking and replace lost Roderick Hall parking resulting from construction of the new stormwater pond. Because of the sloping terrain of the site, the parking garage will be partially set into the slope. The project will entail fill for the new garage and leveling of the grade to reduce the large existing change in grade to the wetland and provide for a stormwater pond.

Adjacent to the east side of the project site is an "L" shaped SWFWMD jurisdictional wetland, which is approximately 29 acres in size (per PUD 10-A, Minor Modification #1 data table). The leg portion of the "L" is 13.6+/- acres, which is dedicated as permanent open space. This wetland area has also been identified on Maps 4 and 5 of the Comprehensive Plan as a potential wildlife habitat and forested area. It is noted that the areas shown on Maps 4 and 5 are general in nature and are not surveyed areas. The forested area extends westward of the wetland.

Pursuant to the LDC (Sec. 7.11. Special Requirements for Environmentally Sensitive Areas and Historic Resources) a twenty-five (25) foot setback is required from wetlands, forested and wildlife habitat areas. There is no physical encroachment of the project into the wetland; however, the project does not meet the development setback requirement. This variance request is addressed in staff report SPR/VAR #11-F. The forested area extends westward of the wetland boundary. Protected and Grand trees are being removed along the edge of the forested area to construct the parking garage and a stormwater pond. Pursuant to the application, 47 non-protected trees are also being removed. This encroachment into the forested area is approximately 0.8 acres in size.

The Grand and protected trees requiring a permit to be removed are shown in Appendix A, on Sheet TR-5 and are as follows:

Grand Trees (6 trees):
- Live/Laurel Oak: Five (5), ranging in size from 24-inch to 26-inch.
- Sweet Gum: One (1) 24-inch DBH.

Trees 10-inch DBH, but less than 20-inch DBH (10 trees)
- Live/Laurel Oaks: Three (3), ranging from 11-inch to 15-inch DBH.
- Sweet Gum: Eight (8), ranging from 10-inch to 18-inch DBH

Trees five (5)-inch DBH, but less than ten (10) inch DBH (16 trees)
- Live/Laurel Oaks: Twelve (12), ranging from 5-inch to 6-inch DBH.
- Sweet Gum: Three (3), ranging from 6-inch to 8-inch DBH.
- Hickory: One (1), 8-inch DBH.

It is noted that one (1) Sweet Gum (14-inch DBH) tree to be removed is located within the wetland. All other trees are located outside the wetland. Four (4) Grand trees and nine (9) protected trees are located within or adjacent to the parking garage footprint and four (4) protected trees are located within the twenty-five (25) foot buffer. The Applicant has not provided any document regarding any diseased protected or Grand trees.

Photographs A-D provided by the Town's Planning Consultant depicts various views of the existing trees (Appendix B) and approximate extent of the project encroachment into forested area. Because of the dense canopy relevant photographs of each individual Grand Tree was not possible.

Relevant LDC Sections

Sec. 12.6 Tree Protection and Restoration

Sec. 12.6.1 Purpose and Intent

A. To promote the health, safety and welfare of the current and future residents of the Town of St. Leo by establishing minimum standards for the regulation of the preservation, protection and removal of trees within the Town of St. Leo.
B. Trees are declared as a significant natural and visual resource, particularly as related to protecting the aesthetic character of the visual corridors (SR 52 and Lake Jovita) defined in the Town of St. Leo Visual Corridor Study.
C. Protecting trees maintains the aesthetic character and quality of the Town of St. Leo as adopted in the Comprehensive Plan. The aesthetic quality of the Town is comprised of the forested shoreline of Lake Jovita and its surrounding hillside, and the forested hillsides along S.R. 52.
D. Trees provide significant environmental benefits such as purifying and cooling the ambient air, providing shade, conserving energy, reducing noise levels, providing important habitats for wildlife and preventing soil erosion and flood control.

Sec. 12.6.3 Tree Removal Permit Required

A. Any commercial, institutional, multi-family or residential subdivision development requires a tree removal permit for the following:
    1. Removal of ten (10) percent or more of the total trees on a property or development site that are greater than five (5) inch diameter at breast height (DBH) or
    2. Any tree ten (10) inch DBH or greater.
C. The removal of a Grand Tree (20-inch DBH or greater) on any property requires approval by the Town Commission at a public hearing pursuant to the requirements of Sec. 9.1.

Sec. 12.6.6. Tree Replacement

A. Minimum tree replacement size is three (3)-inch DBH and ten (10) feet in height, and Florida No. 1 grade quality or better.
B. The replacement tree(s) shall be of a species listed on the Tree Species List. The replacement tree(s) may be located anywhere on the subject property. Required tree replacement is pursuant to sections C, D and E below or by providing replacement trees (greater than three (3)-inch DBH) equivalent to the total required DBH.
C. Minimum number of replacement trees for the removal of a tree less than ten (10)-inch DBH is at a ratio of two (2) replacement trees for each tree removed. Palm trees may be utilized as replacement trees at a ratio of three (3) palms per one replacement tree.
D. The minimum number of replacement trees for a tree removed of ten (10)-inch DBH to less than twenty (20)-inch DBH is at a ratio of three (3) replacement trees for each tree removed.
E. The minimum number of replacement trees for removal of a Grand Tree is at a ratio of four (4) replacement trees for each tree removed.
F. Pursuant to approval by the Town Commission, tree replacement may be achieved by contribution to the Town's Tree Mitigation Fund.

Other Relevant LDC Sections and Comprehensive Plan Policies

The following Comprehensive Plan policies relate to environmentally sensitive lands:

> FLUE Policy 2.2.3. Land planning and development decisions, including but not limited to, rezonings, variances, special exception use, conditional use, planned unit developments and site plan reviews should strongly consider the established character of predominantly developed areas where changes of use or intensity of development are contemplated as well as the degree of compliance with the LDC.
>
> CON Policy 1.2.1. Establish an LDC requirement by December 2010 for PUDs and subdivisions to preserve a percentage of their forested areas as dedicated open space or as a conservation easement and to require a minimum development setback buffer area around the forested areas.

Pursuant to the LDC, Sec. 7.11 B. 2. *"The minimum area to be preserved shall be determined by the Town Commission based on the survey and proposed development. However, no more than fifty (50) percent of the total forested area can be encroached with development. Any encroachment shall require mitigation of impacts."*

The LDC (Sec. 7-11 A. 3.) requires jurisdictional wetlands to be dedicated as permanent open space or preserved via a conservation easement and Sec. 7.11 B. 4. requires delineated forested areas be dedicated as permanent open space or preserved via a conservation easement.

Applicant's Variance Justification

There are a number of factors that the Applicant has addressed in the justification statement. Key factors included the land locked nature of the campus, unsuitability of other alternative on-campus sites, minimizing impacts to visual corridors, campus demand for outdoor playing fields, mitigating impacts to the wetland and project site opportunities/constraints.

In general, some of the Applicant's key variance justifications (*italics text* is verbatim) are as follows:

- The Applicant notes that the University East campus is constrained because of existing residential development to the north and east, a wetland to the east, Lake Jovita to the northwest, the Saint Benedictine and private property to the west and SR 52 and the golf course to the south. Therefore, the University has no expansion potential and must utilize land efficiently and capitalize on sites that have multi-purpose potential. Expansion options to the west would segment and sprawl campus functions, which could potentially increase traffic on SR 52, and expansion options to the south side of SR 52 would diminish a major open space (golf course).

- *"This proposed Saint Leo project incorporates a critical infrastructure facility (parking garage) with important improvements to the soccer/lacrosse field complex. The project is unique because it utilizes the existing topography and "hilly nature" of the university campus to allow "stacking" of these two improvements onto one footprint."*

- The project is located within the portion of the campus designated for recreational/sports activities and its interior location does not impact the Lake Jovita or SR 52 visual corridors. Because of its interior location, visual corridors and Lake Jovita development are buffered.

- The project is necessary to provide for needed collegiate and intramural sports activities. Saint Leo University currently participates in 17 intercollegiate sports, of which 12 are outdoor sports that require fields. Approximately 315 athletes participate in this program. Of the 1,800 students, approximately 75 percent participate in intramural sports, most of which require outdoor athletic fields.

- *"Required minimum surface dimensions for new playing fields require the expansion of the width of the field which requires encroachment to the east into the wetland buffer. New stadiums require a minimum of 210-feet playing width; and 20-feet on each side for a spectator restraining area for a total of 250-feet. Due to safety requirements we are adding 10 additional feet to each sideline for a total width of approximately 270-feet or approximately 50-feet wider than the existing playing field and sidelines. Encroachment into the wetland buffer is imperative to meet the current standards for a safe playing field."*

- The project will alleviate existing storwmater run-off impacts that currently affect the wetland because of the new stormwater ponds. *"Currently, water runs off the heavily fertilized and treated natural playing field directly into the adjacent wetland system. The proposed design will treat the water running off the field in stormwater treatment ponds before safely discharged into the wetland system. Furthermore, the new playing field will be artificial turf eliminating some of the water quality issues from fertilizers, herbicides and pesticides. This is considered a mitigating factor for encroachment into the wetland buffer. Although the field is getting closer to the wetland system, water quality of stormwater runoff entering that system is being dramatically improved."*

- *"Shifting the garage and stormwater pond to avoid the variance is not practical from a functional standpoint. Minimum NCAA Playing Field Specifications are noted in the Justification Statement below. The proposed field is the appropriate width to meet these specifications and it has been moved as far west as possible up against the existing roadway, resulting in the east side of the field being 5 to 6 feet from the wetland line along the northeast corner of the field. Placing the parking structure along the east side provides the vertical wall needed to reconcile the grade difference at the wetland line so that encroachment into the wetland is avoided. In other words, even if the parking structure was shifted west, the field would still need to extend east to within 5 to 6 feet of the wetland line and a vertical wall would be required to avoid wetland impacts. The parking structure services as the vertical wall in this case, which also allows the eastern sides of the parking garage to be open to daylight providing the interior ventilation needed to meet the parking garage design requirements."*

- *Onsite Campus Alternatives – Opportunities for the development of this project were also analyzed for onsite campus alternatives. This included existing practice fields on the northern end of campus; and the "Bowl" on the western side of campus that abuts Clear Lake. Both sites have significant "fatal flaws" that make the proposed location of the project the most acceptable.*

    - *Existing Practice Fields:*
        - *Eliminates the ability to develop the garage underground;*

- *Elevated garage would cause visual issues to the north, east and west of the project;*
- *No adequate buffers for noise and lighting;*
- *Requires the routing of traffic around the entire campus to be able to utilize parking;*
- *Eliminates much needed practice fields; and*
- *Doesn't result in a multi-use project.*

- *The "Bowl":* [The "Bowl" area is a depressed area located between the student housing (number 6 on Exhibit A) and Cannon Library (number 3 on Exhibit A) buildings with frontage along Lake Jovita.]

    - *Eliminates the ability to develop the garage underground;*
    - *Elevated garage would cause visual issues to the west of the project;*
    - *No adequate buffers for noise and lighting;*
    - *Requires the routing of traffic through campus to be able to utilize parking; and*
    - *Doesn't result in a multi-use project.*

Appendix A provides a more detailed justification statement, which is the same as the Applicant's variance justification statement.

Staff Review

It is noted that the University East campus is constrained because of surrounding land uses and ownerships. Therefore, development on campus must be more multi-purpose in nature and may, such as this case, require variances. There are a number of factors that the Applicant has addressed in the justification statement, including unsuitability of alternative on-campus sites, minimizing impacts to visual corridors, campus demand for outdoor playing fields, mitigating impacts to the wetland and project site advantages/constraints.

The proposed project is located within the south central quadrant of the University campus, which is an area dedicated to sports and recreational activities. In order make the most effective use of limited available land, the new parking garage will be constructed under a new soccer/lacrosse field. As noted, Grand and protected trees are proposed to be removed. This encroachment into the forested area is approximately 0.8 acres in size. The entire wetland is 29+/- acres in size.

The LDC requires a canopy tree replacement ratio of two (2) to one for any tree between 5-inch DBH and less than 10-inch DBH, a ratio of three (3) to one (1) for any tree 10-inch DBH to less than 20-inch DBH, and a ratio of four (4) replacement trees for each Grand Tree removed. Based on the application, a total of 86 replacement trees would be required as follows:

- 6 Grand Trees = 24 replacement trees
- 10 Protected trees are ten (10) inch DBH to less than 20-inch DBH = 30 replacement trees.

- 16 Protected trees are greater than five (5) inch DBH, but less than ten (10) inch DBH = 32 replacement trees.

The total number of required replacements trees is 86 or the equivalent of 258 inches DBH (86 x 3-inch DBH). Pursuant to Section 12.6.6 the Applicant can provide fewer, but larger than three (3)-inch DBH trees and/or pursuant to Section 12.6.9, pay into the Tree Mitigation Fund for the required replacement trees. The Applicant submitted a draft Tree Replacement Plan; however, no final plan has been submitted.

Upon review of the site and tree removal plans and discussion with the Applicant's consultants, there are some protected trees that appear could be saved. One is located within the wetland and two are located between the stormwater pond and wetland boundary. These trees are located outside the parking garage and stormwater pond footprints. These include the following:

- Two (2) Sweet Gum (14"-18" DBH). The 14"DBH tree is located within the wetland.
- One (1) Sweet Gum (5" DBH)

These trees will be saved; therefore, the tree replacement requirement would be reduced by 8 trees or require a total of 78 replacement trees.

Town Commission Alternatives:

The Town Commission has at least two decision-making alternatives:

Alternative 1: The Commission has determined that no hardship or justification for removal of the six (6) Grand Trees and 23 protected trees, and that the request is not consistent with the Comprehensive Plan; therefore, the Tree Removal Permit application is DENIED and the trees are to be preserved. The Applicant shall submit a revised site plan with said trees preserved.

Alternative 2: The Commission has determine that based on the Applicant's justification statement, site constraints and photographs, and consistency with the Comprehensive Plan, that the removal of the six (6) Grand Trees and 23 protected trees is warranted, and therefore, the Tree Removal Permit is APPROVED with the following conditions:

1. The Applicant shall plant 78 replacement canopy trees (per LDC list or other Town approved tree), each a minimum of three (3)-inch DBH and ten (10) feet in height, Florida Quality Grade One. Alternatively, pursuant to Section 12.6.6 provide fewer, but larger than three (3)-inch DBH trees and/or pursuant to Section 12.6.9, pay the tree mitigation fee for the required replacement trees. However, given the number of trees removed, at least twenty-five (25) percent of the required replacement trees (20 trees) shall be planted around the project site. A majority of these replacement trees (11 trees) shall be planted along the east boundary adjacent to the wetland.

   Note that any required landscape buffer related to the project pursuant to Sec. 12.2 cannot count toward meeting the tree replacement requirement. Requirements related to landscape buffers are in addition to the required replacement trees.

2. The Applicant shall submit a tree replacement plan by November 30, 2011 for review/approval by the Town's Planning Consultant. The replacement trees shall be planted by the Applicant and inspected by the Town Planning Consultant prior to final inspection of the Soccer/Lacrosse Field and Parking Garage project by the Town's Building Official or Planning Consultant. Any payments to the Tree Mitigation Fund must be made prior to final site inspection approval.

3. This approval is subject to approval by SWFWMD and the Applicant shall submit to the Town Clerk a copy of the SWFWMD permit approval related to this project. No construction shall begin until the approved SWFMWD permit is received.

4. Prior to the start of regrading and/ or filling, silt fences or other appropriate fencing/barrier shall be installed around adjacent protected trees that are to remain, and shall remain in place during construction (site grading).

5. The portion of the jurisdictional wetland not dedicated as permanent open space, shall be dedicated as permanent open space or preserved via a conservation easement. Such dedication or easement shall be approved by the Town Commission and recorded prior to final inspection approval. Pursuant to Comprehensive Plan CON Policy 1.1.4, the Town of St. Leo, at some future date, shall initiate designation of the wetland with the Conservation future land use category.

6. No final inspection approval will be issued by the Town until the above conditions are met.

7. Upon one (1) year after the completion of the project, the Town Commission or its designee shall inspect all planted replacement trees and the Applicant shall be required to replace any trees deemed to be in poor or dead condition within 45 days of the date a written notice of said inspection is mailed to the Applicant.

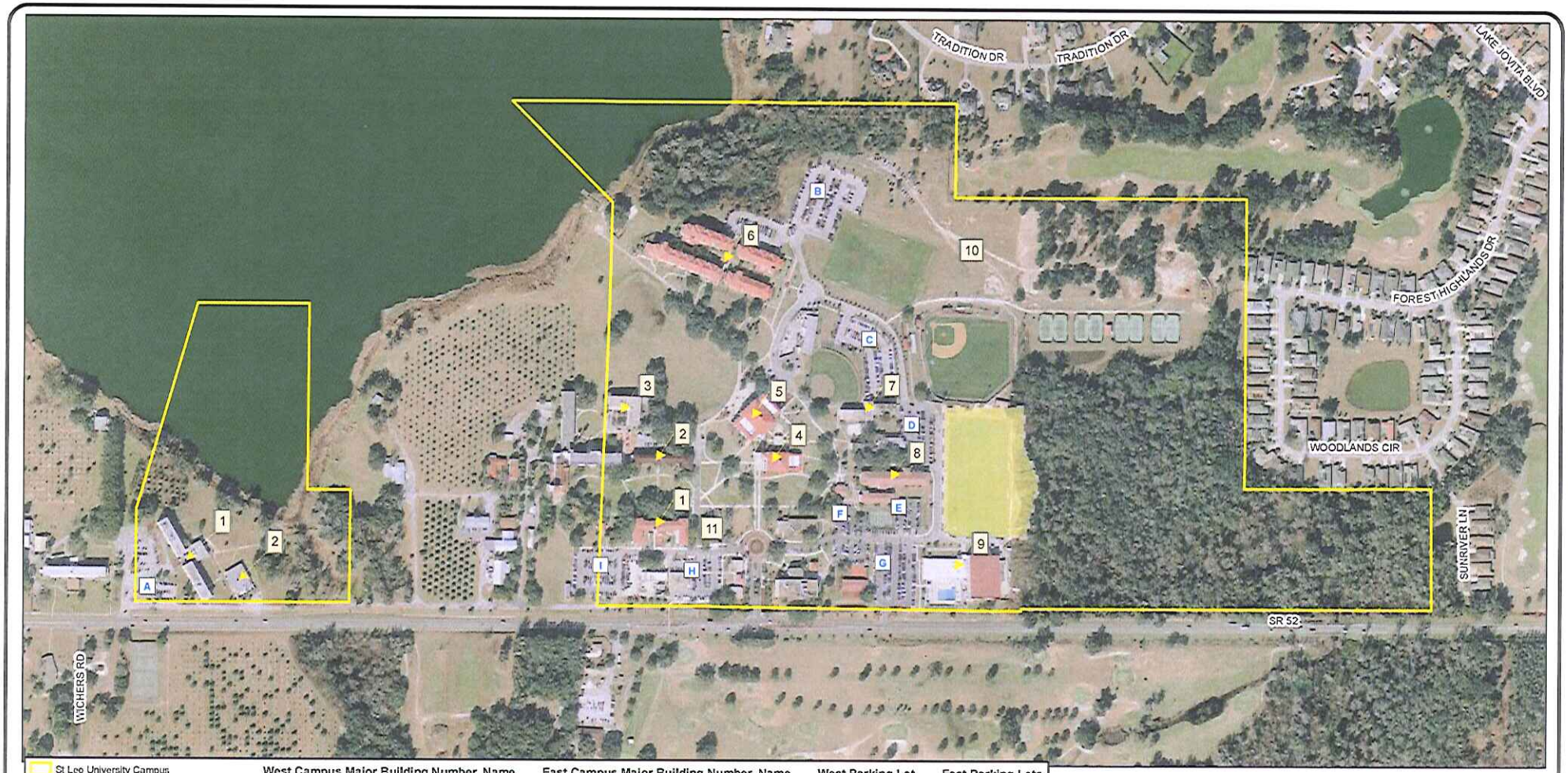
This report has been prepared by:

Jan A. Norsoph, AICP
Engelhardt, Hammer & Associates, Inc.
Town of St. Leo Planning Consultant

Engelhardt, Hammer & Associates reserves the right to update this report upon becoming aware of new or updated information.

EXHIBIT A

Aerial of Project Site



St Leo University Campus

Soccer / Lacrosse Field / Parking Garage

West Campus Major Building Number, Name

- 1, Marmion - Snyder Hall
- 2, Marmion Center

East Campus Major Building Number, Name

- 1, St. Edward Hall
- 2, Student Housing Buildings
- 3, Cannon Memorial Library
- 4, Student Activities Building
- 5, Student Community Center
- 6, Student Housing Buildings
- 7, Henderson Hall
- 8, Roderick Hall
- 9, Marion Bowman Activities Center
- 10, New Softball Stadium (2010)
- 11, School of Business (2011)

West Parking Lot

- Parking Lot, A

East Parking Lots

- Parking Lot, A
- Parking Lot, B
- Parking Lot, C
- Parking Lot, D
- Parking Lot, E
- Parking Lot, F
- Parking Lot, G
- Parking Lot, H
- Parking Lot, I

0 400 Feet

Source: SWFWMD 2010 Aerial

Exhibit A
Saint Leo University Campus

ENGELHARDT, HAMMER & ASSOCIATES
Land Planning · GIS · Expert Testimony
4343 Anchor Plaza Parkway, Suite 220, Tampa, Florida 33634
Telephone (813) 889-8100, Fax (813) 889-8811

Map Document: (G:\Projects\St_Leo_Gen_Plng_Svcs_00097\MXDs\St_Leo_University_East_West_Campus_Soccer_Lacrosse_Field_Aerial_002211.mxd)
9/20/2011 – 10:20:16 AM

APPENDIX A

Applicant's Tree Removal Application/Submittal Documents

Soccer/Lacrosse Field

TOWN OF ST. LEO
TREE REMOVAL PERMIT APPLICATION
P.O. BOX 2479, ST. LEO, FLORIDA 33574 - 352.588.2622 FAX 352.588.3010
PLEASE SEE TOWN OF ST. LEO LAND DEVELPOMENT CODE 12.4 - 12.4.11

NOTE: It is incumbent upon the applicant to submit correct information. Any misleading, deceptive, incomplete or incorrect information may invalidate your approval.

DATE 2/23/11 ZONING DISTRICT A RDR MDR IL X B POL LJ
PROPERTY ADDRESS 33701 State Road 52, Saint Leo, Florida 33574
PROPERTY OWNER Saint Leo Univerelly
Application must be completed by homeowner or attach notarized Affidavit to Authorize Agent.

PROPERTY PARCEL I.D.# 01-25-20-0000-03000-0000
REPRESENTATIVES NAME Frank Mezzanini PHONE(S) 352.588.6215
Information required for a single-family tree removal permit:

1. Identify all trees on the property, indicating the tree(s) to be removed either on property survey, aerial photograph, or hand drawn sketch. The plans shall delineate the tree species, height and size (DBH) to be removed.
2. Is tree diseased?_____. If tree is diseased and deemed unsafe, please verify by written documentation signed by a licensed professional (forester, arborist or horticulturalist) and attach documentation.

Information required for residential subdivision, multi-family, commercial or institutional development tree removal permit.

1. Identify all trees on the property, indicating the tree(s) to be removed either on a site or aerial photograph (scale of one (1) inch: two hundred (200) feet or smaller). Plans or an aerial photograph shall delineate the tree species, height and size (DBH) to be removed.
2. Tree is diseased and deemed unsafe and verified by written documentation signed by a licensed professional (forester, arborist or horticulturalist)._____If yes, attach documentation.

Submit a written justification statement for the proposed tree(s) removal based on the criteria contained above. Sites to replace trees must be included in site plans and project description.

FEE: $50.00 In addition to the application fee, the applicant will be billed for the actual expenses related to the Town of St. Leo's Planning Consultant review of application. This may include, but not be limited to, time spend reviewing the application for completeness, preparing a report to the Town Commission, telephone conversations and/or written correspondence to the applicant, and attending any meetings with the applicant, including Commission meetings, if necessary. The Town Commission may request an advanced partial payment based on an estimate of the Planning Consultant's fees and expenses.

VP Business Date: 9/19/11
Signature of Title Holder (Owner)

Date: Application Expires:
St. Leo Signature for Tree Removal Approval

Saint Leo University (SLU) – Soccer/Lacrosse Field Parking Garage
Wetland Buffer Encroachment Variance Justification Statement

1. State the special conditions and/or circumstances applying to the building or other structure or land for which such variance is sought.

This proposed Saint Leo project incorporates a critical infrastructure facility (parking garage) with important improvements to the soccer/lacrosse field complex. The project is unique because it utilizes the existing topography and "hilly nature" of the university campus to allow "stacking" of these two improvements onto one footprint.

The variance is to allow the extension of the footprint of this structure within the Southwest Florida Water Management District (SWFWMD) wetland buffer. SWFWMD and the Town of Saint Leo LDC require a 25-foot setback or buffer upland from the wetland line. Approximately 1140 lineal feet of delineated jurisdictional wetland line exists along the eastern side of the project boundary. The project structure maintains the 25-ft buffer along 530 lineal feet of the wetland line, or approximately 46%. Along the remaining portion of the wetland line, the project encroaches 15 to 20 ft inside the wetland buffer, with the closest being 20 ft along the northeastern portion of the parking garage where the structure is approximately 5 to 6 feet away from the wetland line. This wetland setback encroachment has been discussed with SWFWMD as part of the permitting process, and with a number of mitigating site improvements provided in return for allowance of the encroachment (see Water Quality & Environmental Considerations of Project Site – below) we have received verbal approval of this approach from SWFWMD staff.

Shifting the garage and stormwater pond to avoid the variance is not practical from a functional standpoint. Minimum NCAA Playing Field Specifications are noted in the Justification Statement below. The proposed field is the appropriate width to meet these specifications and it has been moved as far west as possible up against the existing roadway, resulting in the east side of the field being 5 to 6 feet from the wetland line along the northeast corner of the field. Placing the parking structure along the east side provides the vertical wall needed to reconcile the grade difference at the wetland line so that encroachment into the wetland is avoided. In other words, even if the parking structure was shifted west, the field would still need to extend east to within 5 to 6 feet of the wetland line and a vertical wall would be required to avoid wetland impacts. The parking structure services as the vertical wall in this case, which also allows the eastern sides of the parking garage to be open to daylight providing the interior ventilation needed to meet the parking garage design requirements.

The encroachment into the wetland setback was not proposed without an alternatives analysis that looked at the different aspects of the project including alternative locations; specifications for playing fields prescribed by the NCAA; the need for SLU playing fields for both collegiate and intramural sports; and the civil and environmental design considerations of the selected site. We have enumerated the rationale for the site selection and need for the wetland setback encroachment variance below.

Alternative Location(s):

The project was analyzed to determine if alternative locations were appropriate. The SLU campus and offsite options were reviewed:

- Land acquisition – Additional land acquisition for this project is not an option. This is continually considered for various campus expansion opportunities but because of financial constraints, lack of available lands adjacent to the existing campus and the nature of the project itself, adding land to SLU at this time is not possible and is not warranted for this project. To the north and east of SLU is the Lake Jovita development; to the west are Clear Lake and the Abbey; and to the South are SR 52 and the golf course (development of the golf course would severely impact a major recreational feature of the area).. The SLU campus is landlocked and must maximize its use of developable land. Developing this project on a common footprint will produce a multi-use project, containing a sports complex and a parking garage which from a number of aspects is the most acceptable alternative when evaluating both on and offsite options. Also, a parking garage that is not contiguous with the existing campus will not work functionally. The garage must be located in the proximity to where students and visitors are going thus a remote; off-campus location will not serve the required purpose of the project.

- Onsite Campus Alternatives – Opportunities for the development of this project were also analyzed for onsite campus alternatives. This included existing practice fields on the northern end of campus; and the "Bowl" on the western side of campus that abuts Clear Lake. Both sites have significant "fatal flaws" that make the proposed location of the project the most acceptable.

    - Existing Practice Fields:
        - Eliminates the ability to develop the garage underground;
        - Elevated garage would cause visual issues to the north, east and west of the project
        - No adequate buffers for noise and lighting;
        - Requires the routing of traffic around the entire campus to be able to utilize parking;
        - Eliminates much needed practice fields; and
        - Doesn't result in a multi-use project.
    - The "Bowl":
        - Eliminates the ability to develop the garage underground;
        - Elevated garage would cause visual issues to the west of the project;
        - No adequate buffers for noise and lighting
        - Requires the routing of traffic through campus to be able to utilize parking; and
        - Doesn't result in a multi-use project.

- Visual corridors – Most other areas of the campus would require the proposed parking garage to be developed above ground. The topography on most of the campus would not allow the project to be built below land surface. Most of the other sites on campus would require an above ground structure and impact the visual corridors including Lake Jovita, SR 52 and other surrounding areas. The proposed site allows the garage to be developed below ground level and will not impact any designated visual corridors. Also the project site is buffered to the east by the existing forest and wetland; to the north by other athletic fields and a significant elevation rise; to the west by the campus and associated buildings; and to the south by the existing gymnasium facility.

- Required road network – The proposed site for a parking garage is conducive with the existing road network. The ability to enter SLU from SR 52 and be routed almost immediately to the east to the parking garage is the best alternative. This alleviates the need for traffic to be routed throughout the existing campus to reach the garage.

- Location with respect to the SLU sports complex - The proposed site is located within the SLU sports complex. Although the garage will support the residence halls and classroom commuters it will also be a major asset with respect to sporting events. The project is in close proximity to baseball & softball fields, tennis courts and intramural fields to the north and the gymnasium and Athletic Administrative Department to the south

- Forest/wetland buffer – The forest/wetland buffer to the east provided by the existing location provides a perfect noise and lighting barrier to the Lake Jovita neighborhood. Adding additional practice fields and/or a new location for the parking garage would add to lighting and noise issues to adjacent properties.

- Lighting – The current location and field is lighted and two additional practice fields would preclude the immediate need to light the practice fields (intramural fields) on the northeast side of campus.

- Storm evacuation shelter – We are currently researching the expansion of this multiuse facility to a hardened storm evacuation shelter. The ability to locate the garage below land surface at this location increases our chances of having the facility qualify. Again, this is the only location on campus conducive to a subterranean parking structure due to its proximity to the adjacent topographic drop-off and associated wetland system.

- Future expansion projects – By utilizing the same footprint of the existing soccer/lacrosse stadium we are not impacting the potential for future campus expansions.

Minimum NCAA Playing Field Specifications:

- Required minimum surface dimensions for new playing fields require the expansion of the width of the field which requires encroachment to the east into the wetland buffer.

- New stadiums require a minimum of 210-feet playing width; and 20-feet on each side for a spectator restraining area for a total of 250-feet. Due to safety requirements we are adding 10 additional feet to each sideline for a total width of approximately 270-feet or approximately 50-feet wider than the existing playing field and sidelines. Encroachment into the wetland buffer is imperative to meet the current standards for a safe playing field.

SLU Intercollegiate and Intramural Sports Programs:

- SLU currently participates in 17-intercollegiate sports with 315 athletes. Of the 17-sports, 12 are outdoor sports requiring fields.

- Of the 1,800 approximately 75% of those participate in intramural sports, most of those requiring athletic fields.

- Adding additional intramural sports this year which will just increase the competition for limited playing areas.

- Facilities are also used by St. Anthony's School and Pasco County schools for hosting soccer and lacrosse events.

- Playability of athletic fields is often dictated by threat of damage from overuse. The new facility will have artificial turf allowing continual access.

- Collegiate and intramural sports practices and games most often must take place late afternoon and evening due to class schedules. In order to minimize the need for additional lighted fields, expansion of this playing area which is currently lighted to incorporate two additional practice fields is necessary.

Water Quality & Environmental Considerations of Project Site:

- Currently, water runs off the heavily fertilized and treated natural playing field directly into the adjacent wetland system. The proposed design will treat the water running off the field in stormwater treatment ponds before safely discharged into the wetland system. Furthermore, the new playing field will be artificial turf eliminating some of the water quality issues from fertilizers, herbicides and pesticides. This is considered a mitigating factor for encroachment into the wetland buffer. Although the field is getting closer to the wetland system, water quality of stormwater runoff entering that system is being dramatically improved.

- Although encroachment into the buffer is proposed, the wetland line is not being disturbed. The wetland itself will be afforded extra protection from a fence and vertical wall that will segregate it from any activities on the field, which is a much more protective then existing conditions. Although the field is as close as 6 feet away from the wetland line in some areas, activities at field level will be happening approximately 30 ft above the wetland line at the top of the structure. The proposed improvements are effectively segregating the public from access to the wetland system much more effectively than a standard 25 ft buffer with no physical barrier.

- The wetland is fed by seeps along the steep side bank between the field and the wetland which accounts for the irregular delineation. A critical requirement of SWFWMD is that the design mimic and reestablish this seep slope system increasing and improving water flow to the wetland resulting in enhancement of the system. Per a recent meeting with SWFWMD staff, the design received a positive response for how well it accomplished this mitigating factor by the creative configuration of the stormwater management system and discharge spreader swale system. Not only is this a mitigating factor for encroachment into the wetland buffer, but it should also be noted that it would be much more difficult to accomplish successful recreation of this seep slope system without encroachment into the buffer. Recreation of the seep slope system accounts for 260 lineal feet of buffer encroachment along the wetland line.

- This seep system has been adversely impacted over the years due to erosion of the bank and other activities. As a mitigating factor for buffer encroachment, the proposed design will incorporate restoration and stabilization of the bank that separates the project from the wetland. This will stop the erosion and deposition of sediment into the wetland system.

2. Are the special conditions and/or circumstances peculiar to the property, structures, or building, and don't apply generally to neighboring lands, structures, or buildings in the same zoning district.

For the reasons stated in the response to question 1, there are numerous reasons and circumstances why this project is unique and a variance to the proposed encroachment into the wetland setback is warranted. SLU is a growing institution that is unique to other property, structures and neighboring properties within the Town of St. Leo.

3. Are the existing conditions and/or circumstances such that:
    a. The strict application of the provisions of the Chapter would deprive the applicant of reasonable use of said land, building, or structure?

        Yes. The strict application of the provisions of this Chapter would not allow for the development of this project in the manner and constraints that are described in the response to question 1.

b. The peculiar conditions and circumstances pertaining to the variance request are not the result of the actions by the applicant.

   As described in our response to question 1, the various conditions pertaining to the variance request is dictated more by the site conditions; NCAA field constraints; location analysis; and environmental restoration alternatives.

4. The variance request is in harmony with and serves the general intent and purpose of this Chapter and the Comprehensive Plan.

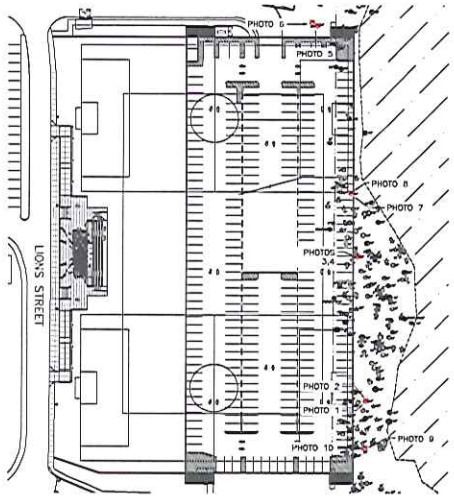
In light of the restoration and protection afforded to the wetland system by the proposed project, we view the wetland setback encroachment as minimal impact and are not contrary to the general intent of the Chapter.

5. That the variance, if allowed, will not substantially interfere with or injure the rights of others whose property would be affected by allowance of the variance.

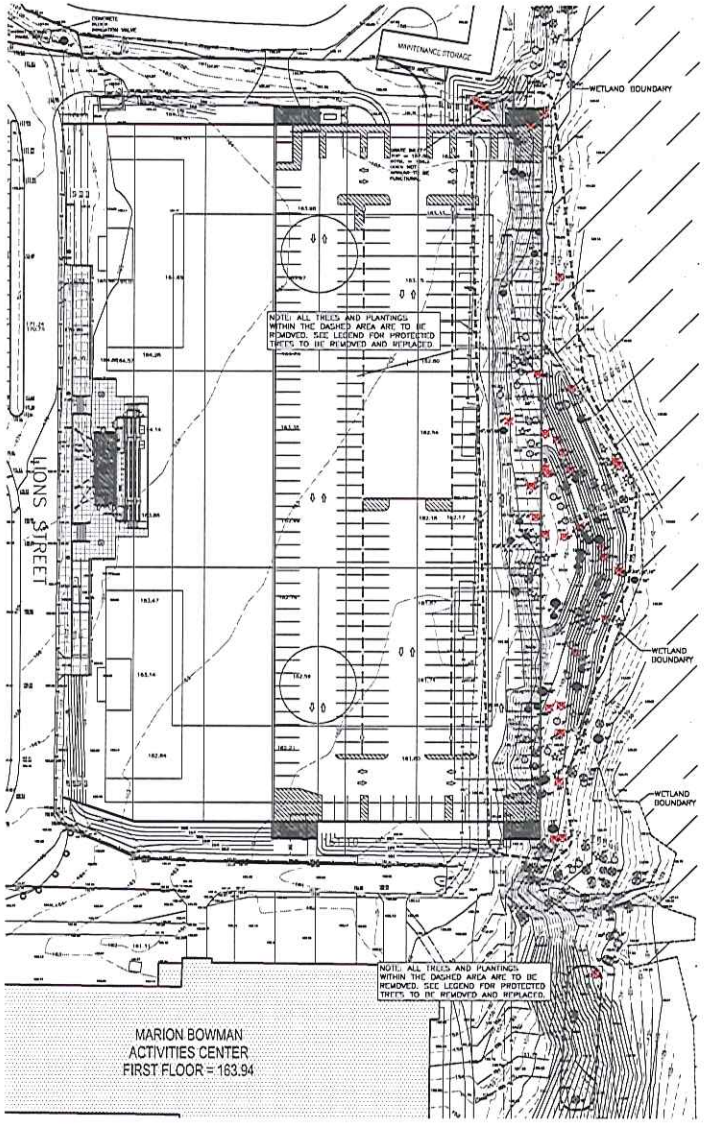
For the stated responses to question 1, this variance will not substantially interfere of injure the rights of others. This will not have an impact on other properties including those of SLU.

6. That allowing the variance will result in substantial justice being done considering both the public benefits intended to be secured by this Chapter and the individual hardships that will be suffered by a failure of the Town Commission to grant a variance.

Based on the responses to question 1, we do not believe any individual hardships will occur due to the Town Commission granting this variance.



Grand Tree Photo Key Plan
1"=64'-0"
0 32' 64'



Architectural Site Plan
1"=40'-0"
0 20' 40'

TREE LEGEND
TREE SIZES NOTED ON MAP

- DENOTES OAK TREE
- DENOTES SWEET GUM TREE
- DENOTES LOB LOLLY BAY TREE
- DENOTES LAUREL OAK TREE
- DENOTES CAMPHOR TREE
- DENOTES PALM TREE
- DENOTES OAK TREE
- DENOTES CHINA BERRY TREE
- DENOTES HICKORY TREE
- DENOTES TREE TO BE REMOVED

PROTECTED TREES (LESS THAN 5" DBH)
47 TREES

PROTECTED TREES (5" DBH OR GREATER)

LIVE OR LAUREL OAK:
LESS THAN 10" DBH: 12 TREES
GREATER THAN 10" LESS THAN 20" DBH: 3 TREES
GREATER THAN 20" DBH: 5

SWEETGUM:
LESS THAN 10" DBH: 3 TREES
GREATER THAN 10" LESS THAN 20" DBH: 8 TREES
GREATER THAN 20" DBH: 1 TREES

HICKORY:
LESS THAN 10" DBH: 1 TREE
GREATER THAN 10" LESS THAN 20" DBH: 0 TREES
GREATER THAN 20" DBH: 0 TREES

TOTAL NUMBER OF TREES GREATER THAN 5" LESS THEN 10" DBH
16 TREES X 2 = 32 REPLACEMENT TREES

TOTAL NUMBER OF TREES GREATER THAN 10" LESS THEN 20" DBH
11 TREES X 3 = 33 REPLACEMENT TREES

TOTAL NUMBER OF GRAND TREES
6 TREES X 4 = 24 REPLACEMENT TREES

GRAND TOTAL REPLACEMENT TREES = 89 TREES

LUNZ PREBOR FOWLER ARCHITECTS
98 Lake Morton Drive
Lakeland, FL 33801-5344
p 863.687.1982
f 863.687.8248
lic. AA0001980
lunz.com

Town of Saint Leo Tree Removal Permit
33701 State Road 52
Saint Leo, Florida 33574-6665
Saint Leo University
Soccer And Lacrosse Field

ISSUED FOR CONSTRUCTION:	
ISSUED FOR PERMIT:	
ISSUED FOR BID:	
ISSUED FOR APPROVAL:	09.22.11

DRAWN BY: Chris Pelot
REVIEW BY: Ben Fowler

0203.00

TR-5

APPENDIX B

Site Photographs

(Prepared by the Town Planning Consultant)

SOCCER FIELD SITE PHOTOGRAPHS

SITE PHOTOGRAPH A: Looking northeast from the Soccer Field.

SITE PHOTOGRAPH B: Looking due east.

SITE PHOTOGRAPH C: Looking southeast from the Soccer Field.

SITE PHOTOGRAPH D: Looking north along east boundary of Soccer Field.

EXHIBIT B

Applicant's Application and Supporting Documents

INCLUDED HEREIN AS PLANNER'S REPORT APPENDIX A